

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
CIVIL DIVISION**

Dario Glendell Burley
7987 Nolpark Ct
Apt 303
Glen Burnie, MD 21061

Plaintiff

v.

CASE NO.:

Daniel Bernard Belge, 2nd
483 S Columbus Ave
Littlestown, PA 17340

&

King Carpentry of Virginia, Inc.
AKA, King Carpentry, Inc.
741 Miller Dr., SE
Suite F2
Leesburg, VA 20175

Serve on Resident Agent:

Joel T. King
20108 Peach Tree Road
Dickerson, MD 20842

Defendants

COMPLAINT

NOW COMES **Dario Glendell Burley**, Plaintiff, (hereinafter “Plaintiff **Burley**”), by and through his attorneys, Patricia McGowan, Esq, Peter Hatfield, Esq., and McGowan & Cecil, LLC and sues **Daniel Bernard Belge, 2nd**, Defendant, (hereinafter “Defendant **Belge**”) and **King Carpentry of Virginia, Inc. AKA King Carpentry, Inc.**, Defendant, (hereinafter “Defendant **King Carpentry, Inc.**”) and for reasons states as follows:

THE PARTIES

1. Plaintiff **Burley** a resident of the State of Maryland.
2. Defendant **Belge** is a resident of the State of Pennsylvania.
3. Defendant **King Carpentry, Inc.** is a Virginia corporation with its principal office

located in Leesburg, Virginia.

JURISDICTION AND VENUE

4. This is an action for personal injury due to the negligence of the Defendant based upon the laws of the District of Maryland.

5. Plaintiff **Burley** is a resident of the State of Maryland, Defendant **Belge** is a resident of the State of Pennsylvania and Defendant **King Carpentry, Inc.** is a resident of the State of Virginia. As there is complete diversity of citizenship between the parties and the amount in the controversy exceeds \$75,000.00, the jurisdiction of this Court is invoked under 28 USC 1332

COUNT I

Negligence

Daniel Bernard Belge, 2nd

6. Plaintiff **Burley** adopts by reference paragraphs 1 through 5 of this Complaint as if fully alleged herein.

7. On or about 07/02/2020, at approximately 12:01 PM, Plaintiff **Burley** was lawfully and carefully operating his motor vehicle in the parking lot of the Home Depot located at 3750 Commerce Drive in Baltimore County, Maryland.

8. At the same date and time, Defendant **Belge** was operating a Pickup Truck and reversing out of a parking spot at said Home Depot location when he struck the driver's side of Plaintiff **Burley's** vehicle with the rear of the Pickup Truck he was operating.

9. Defendant **Belge** owed a duty to operate his vehicle with reasonable care and in accordance with the laws, rules, and regulations then and there in full force and effect in the State of Maryland and breached this duty of care by failing to operate his vehicle in a safe and reasonable manner for that among other acts and omissions, Defendant **Belge** negligently:

- A. Failed to keep a proper lookout;
- B. Failed to maintain proper and adequate control over the Pickup Truck;
- C. Failed to observe due care and precaution for the safety of the other vehicle and its occupants;
- D. Failed to avoid a collision when it became apparent or where the exercise of reason should have become apparent to the said Defendant operator by continuing the same course and speed an collision would

occur;

- E. Failed to reduce speed to avoid a collision;
- F. Operated the Pickup Truck in a reckless manner and with wanton disregard for the safety of persons and property;
- G. Failed to pay full time and attention to the operation of the Pickup Truck;
- H. And in other respect was negligent in the operation of his vehicle in violation of the laws of the State of Maryland and in Baltimore County then and there in effect.

13. Defendant **Belge's** negligence proximately caused Plaintiff **Burley** to suffer serious physical personal injury, including but not limited to, extreme and permanent pain and suffering, permanent and debilitating injury to his head, body and limbs and to suffer great mental anguish, and medical expenses. All Plaintiff **Burley's** losses, past, present and prospective were, are and will be due without any negligence of Plaintiff **Burley** contributing thereto.

WHEREFORE, Plaintiff **Dario Glendell Burley** demands a money judgment against Defendant **Daniel Bernard Belge, 2nd** and Defendant **King Carpentry of Virginia, Inc. AKA King Carpentry, Inc.**, jointly and severally, in the amount of THREE HUNDRED THOUSAND DOLLARS (\$300,000.00) in compensatory damages, interest and costs.

COUNT II
Respondeat Superior
King Carpentry, Inc.,

14. Plaintiff **Burley** adopts by reference the allegations contained in paragraphs 1 through 13 of this Complaint as if fully alleged herein.

15. At all times relevant hereto, Defendant **Belge** was employed by Defendant **King Carpentry, Inc.**, a Virginia Corporation located at 741 Miller Drive SE, Suite F-2 in Leesburg, Virginia. Defendant **King Carpentry, Inc.** is engaged in the carpentry business and owns the Pickup Truck Defendant **Belge** was operating on 7/2/2020 at the time of subject collision.

16. The above-described acts of Defendant **Belge** were committed within the scope of his employment with Defendant **King Carpentry, Inc.**, in that he committed them while

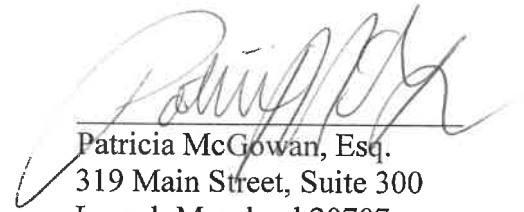
on duty, operating a Pickup Truck owned by Defendant **King Carpentry, Inc.** and in furtherance of Defendant **King Carpentry, Inc.**'s interests.

17. As Defendant **Belge**'s employer, Defendant **King Carpentry, Inc.** is responsible for all of the acts committed by Defendant **Belge** within the scope of his employment.

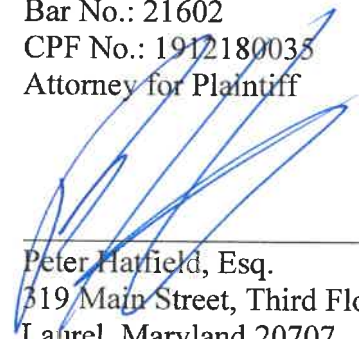
WHEREFORE, Plaintiff **Dario Glendell Burley** demands a money judgment against Defendant **Daniel Bernard Belge, 2nd** and Defendant **King Carpentry of Virginia, Inc. AKA King Carpentry, Inc.**, jointly and severally, in the amount of THREE HUNDRED THOUSAND DOLLARS (\$300,000.00) in compensatory damages, interest and costs.

Respectfully submitted,

McGowan & Cecil, LLC



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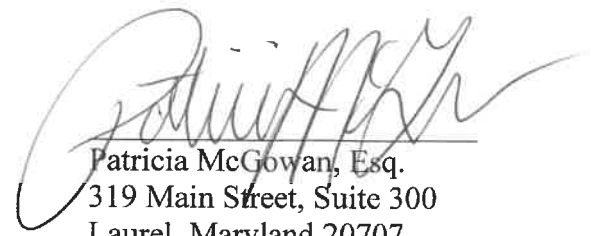
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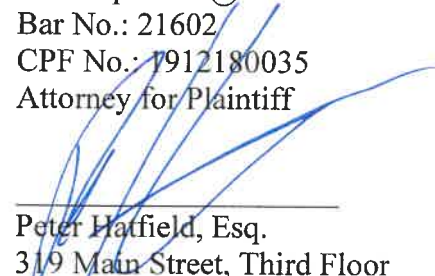
Defendants

PRAYER FOR JURY TRIAL

Plaintiff respectfully requests a trial by jury.



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